

10-24-02

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ATTORNEY DOCKET NO. DASI.002-03US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jean-Michael Scherrmann *et al*) Examiner: Not yet assigned

)

Serial No.: 10/045,971) Art Unit: Not yet assigned

)

Filed: January 9, 2002)

)

For: Cocaethylene immunogens and antibodies) **TRANSMITTAL**
) **SECOND INFORMATION**
) **DISCLOSURE STATEMENT**

BOX DD

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- A Second Information Disclosure Statement.
- A Form PTO-1449.
- Copies of references A7-A18 as listed on the Form PTO-1449.
- Return postcard (postage prepaid).

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EV 204626158 US

Date of Deposit: October 22, 2002

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to BOX DD, Commissioner for Patents, Washington, D.C. 20231

Karen Patchen

(Signature)

Karen Patchen

(Printed Name)

1. This Information Disclosure Statement is filed before the later of:
 - three months from the filing date of this national application;
 - three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
 - the mailing date of a first office action on the merits.
2. This Information Disclosure Statement is filed after the events noted in paragraph 2, but before either:
 - (1) a final action under 37 C.F.R. § 1.113; or
 - (2) a Notice of Allowance under 37 C.F.R. § 1.311. In accordance with 37 C.F.R. § 1.97(c) also enclosed is:
 - a fee under 37 C.F.R. § 1.17(p) in the amount of \$240; or
 - a certification as stated below.
3. This Information Disclosure statement is filed before the payment of the issue fee, but after either:
 - (1) a final action under 37 C.F.R. § 1.113; or
 - (2) a Notice of Allowance under 37 C.F.R. § 1.311. In accordance with 37 C.F.R. § 1.97(d) also enclosed is:
 - (1) A certification, as stated below;
 - (2) A Petition requesting consideration of the Information Disclosure Statement; and
 - (3) The petition fee set forth in 37 C.F.R. § 1.17(i)(1) in the amount of \$130.

Certification

The undersigned also states:

- [] Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- [] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

TOTAL FEES: \$ 0

- [] A check including the amount of the above-indicated TOTAL FEES is attached.
- [] Please charge Deposit Account No. 18-0020 in the amount of: \$ _____.
- [] A check in the amount of \$ _____ is attached.
- No fee is required.
- The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
- Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 C.F.R. § 1.17.
- A duplicate copy of this sheet is attached for accounting purposes.

PATENT

ATTORNEY DOCKET NO. DASI.002.03US

Respectfully submitted,

Dated: October 22, 2002



Barbara Rae-Venter, Ph.D.
Reg. No. 32,750

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Phone: (831) 648-3090
Facsimile: (831) 242-0137

BRV/MA/kp

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Patent Application, ____ pps.
specification, ____ pps claims,
____ pps abstract
- Drawings: ____ sheets of
informal / formal
- Application Transmittal
- Return receipt postcard
- Response / Amendment
- Issue Fee Transmittal
- Notice of Appeal
- Appeal Brief(3 copies) ____ pages
- PTO Box# 00
- Express Mail Label EV204626158US Check No. _____ in amount of \$ _____
- Other Duplicate Copy of Transmittal
- Executed/unexecuted Declaration/POA
- Assignment
- Verified Small Entity Statement
- Rule 132 Declaration
- 312 Amendment after Allowance
- Notice to File Missing Parts of App.
- Information Disclosure Statement
- Petition for Extension of Time
- Certificate of Correction
- IDS Transmittal, ^{second} IDS Statement
- PTO-1449 [No. of References A7-A18]
- Status Inquiry

Serial No.: 10/045,971 Attorney Docket No.: DASI 00203US ^{bms}
Attorney/Secretary MA Mailing Date : October 22, 2002



ATTORNEY DOCKET NO. DASI.002.03US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jean-Michael Scherrman *et al*) Examiner: Not yet assigned
Serial No.: 10/045,971) Art Unit: Not yet assigned
Filed: January 9, 2002) **SECOND INFORMATION**
For: Cocaethylene immunogens and antibodies) **DISCLOSURE STATEMENT**
)

BOX DD

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Applicant makes no representation that a complete search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EV 204426158 US

Date of Deposit: October 28 2002

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to BOX DD, Commissioner for Patents, Washington, D.C. 20231.

Karen Patchen
(Signature)

Karen Patchen
(Printed Name)

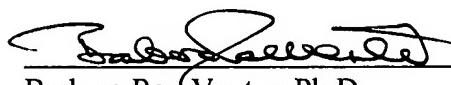
PATENT

ATTORNEY DOCKET NO. DASI.002.03US

The subject application is believed patentable over any of the above references.

Respectfully submitted,

Dated: October 22, 2002


Barbara Rae Venter, Ph.D.
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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231FORM PTO-1449 (Modified)
LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S SECOND INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)
Sheet 1 of 1

In re the application of: Jean-Michael Scherrmann, *et al.*] Art Unit: Not yet assigned
Serial No. 10/045,971] Examiner: Not yet assigned
Filed: January 9, 2002]

U.S. PATENT DOCUMENTS						
Ref. <u>Desig.</u>	Examiner's <u>Initials</u>	Document <u>Number</u>	Date	Name	Class/ <u>Subclass</u>	Filing <u>Date</u>
A7		5,840,588	11/24/98	Strahilevitz	436/518	06/05/95
A8		5,677,132	10/14/97	Strahilevitz	435/7.1	06/05/95
A9		5,643,732	07/01/97	Strahilevitz	435/7.1	06/05/95
A10		5,037,645	08/06/91	Strahilevitz	424/85.8	05/01/89
A11		4,834,973	05/30/89	Strahilevitz	424/85.8	10/30/86
A12		4,813,924	03/21/89	Strahilevitz	604/5	03/08/85
A13		4,620,977	11/04/86	Strahilevitz	424/88	11/09/81
A14		4,375,414	03/01/83	Strahilevitz	210/638	01/21/77
A15		5,876,727	03/02/99	Swain et al.	424/193.1	09/30/96
A16		5,840,307	11/24/98	Swain et al.	424/193.1	06/01/95
A17		5,474,772	12/12/95	Maddock	424/140.1	08/02/90
A18		5,302,703	04/12/94	Buechler et al.	530/404	03/17/93

PENDING U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Examiner:

Date Considered:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.